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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

THERESA MONSEUR KELLY,

Plaintiff,

vs.

UNUM LIFE INSURANCE COMPANY
OF AMERICA, UNUMPROVIDENT,
CORPORATION, MDL INFORMATION
SYSTEMS, INC., and MDL HEALTH PLAN,

Defendants.

Case No. C 05-02915-CW

**STIPULATION TO CONTINUE THE
10/9/07 CMC TO 11/20/07 AND ORDER
THEREON AS MODIFIED**

STIPULATION

The parties, through their counsel of record, stipulate to continue the currently scheduled 2:00 p.m., October 9, 2007 Case Management Conference to 2:00 p.m., November 20, 2007.

The parties stipulate for the following reasons: this action is currently stayed pursuant to

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ATTORNEYS AT LAW

the Court's previous order to allow for the reassessment of the plaintiff's claim. The plaintiff has submitted materials in support of her claim. The reassessment is currently pending. Accordingly, the parties request that the Court continue the Case Management Conference to November 20, 2007, at 2:00 p.m.

Dated: September 24, 2007

DAY & BLAIR, P.C.

By /s/ John D. Wood
John D. Wood (Admitted Pro Hac Vice)
Attorneys for Plaintiff
THERESA MONSEUR KELLY

Dated: September 24, 2007

EMISON, HULLVERSON, BONAGOFKY

By /s/ Theo J. Emison
Theo J. Emison
Attorneys for Plaintiff
THERESA MONSEUR KELLY

Dated: September 24, 2007

KELLY, HERLIHY & KLEIN, LLP

By /s/ Thomas M. Herlihy
Thomas M. Herlihy
Attorneys for Defendants
UNUM LIFE INSURANCE COMPANY OF
AMERICA and UNUM PROVIDENT CORPORATION

ORDER

The Court accepts the stipulation of the parties. It is therefore ORDERED that the 2:00 p.m. October 9, 2007 Case Management Conference is continued to 2:00 p.m., November 20, 2007. **Any further requests for continuances must be supported by good cause for the delay in the reassessment.**

IT IS SO ORDERED.

9/27/07



CLAUDIA WILKEN, JUDGE OF THE
UNITED STATES DISTRICT COURT